

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

MAY 10 2004

FILE 10

OFFICE OF  
MANAGING DIRECTOR

Barbara L. Jeppesen  
Corporate Counsel  
Oration Technologies, Inc.  
13540 Discovery Drive  
Omaha, NE 68137-3020

Re. FY 2003 Regulatory Fee  
Fee Control No. 00000RROG-04-041

Dear Ms Jeppesen.

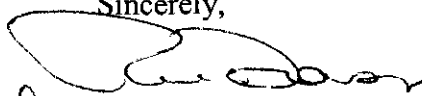
This is in response to your request dated March 3, 2004 filed on behalf of Oration Technologies Inc. (Oration) for waiver and refund of the late payment penalty associated with the fiscal year (FY) 2003 regulatory fees. Our records reflect that Oration's check for its \$1,165.67 regulatory fee and its \$291.42 late payment penalty, for a total of \$1,457.00, was received on March 5, 2004.

In support of your request, you explain that Oration's regulatory fee was not processed in a timely manner due to a chain of events beginning with the termination in September, 2003 of the accounting clerk who handled your accounts payable. You explain that shortly after her termination, you discovered that she was misappropriating company funds and that felony criminal charges have been filed and are pending. Subsequently, your Chief Financial Officer resigned. Upon receipt of the FCC's bill for your overdue regulatory fee and late payment penalty, you discovered in a pile of papers an original invoice that had been approved for payment but not paid. You state that you now have a new Director of Finance who has issued your payment, and you are certain that late payment of your regulatory fee will not happen again.

While we are sympathetic to the circumstances Oration recites, the Communications Act of 1934, as amended, requires the Commission to assess a late payment penalty of 25 percent on any regulatory fee not paid in a timely manner. It is the obligation of the licensees responsible for regulatory fee payments to ensure that the Commission receives the fee payment no later than the final date on which regulatory fees are due for the year. We find that Oration did not meet its obligation to file its regulatory fee to be timely received by the Commission by September 25, 2003, the last date for payment of FY 2003 fees. We therefore deny your request for waiver and refund of the penalty for the late payment of the fiscal year 2003 regulatory fee.

If you have any questions concerning this matter please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark A. Reger  
Chief Financial Officer



ORATION TECHNOLOGIES, INC

Barbara L Jeppesen

+1 402 522 1908

Federal Communications Commission  
Office of Managing Director  
Room 1A625  
445 12<sup>th</sup> Street SW  
Washington DC 20554

March 3, 2004

Re Oration Technologies Inc  
invoice 04REG03387

Dear Managing Director

The purpose of this letter is to ask the FCC to waive the penalty fee assessed against Oration for late payment of the referenced invoice. A copy has been enclosed for your convenience. It was certainly not Oration's intention to fail to make this required payment and did now send a check for both the required fee and the late penalty, which check should already be in the FCC's hands.

Unfortunately the fall of 2003 was a difficult time in terms of staff for Oration. On September 2, 2003 the accounting clerk who handled our accounts payable was terminated. Shortly after she left we discovered that she was misappropriating funds of the company. Felony-level criminal charges have been filed and are pending before the court in Douglas County Nebraska. Shortly after those charges were filed, our Chief Financial Officer resigned. After we received this notice we started digging through some papers left in a pile by the CFO and found the original invoice. It had been approved for payment, but never even entered in the system and apparently never paid.

We now have a new Director of Finance who has issued the appropriate payment. I am certain that this will not happen again. We therefore ask the FCC's consideration to issue a refund of the \$291.42 penalty paid by Oration.

Your time and attention to this matter is sincerely appreciated.

Kind regards,

Barbara L Jeppesen,  
Corporate Counsel  
bjeppesen@oration.net

MAR 16 2004



Federal Communications Commission  
Washington, D.C. 20554

February 19, 2004

Oration Technologies  
13540 Discovery Dr  
Omaha, NE 68137

Re 04RE003387

Dear Licensee

This letter is in reference to the Fiscal Year (FY) 2003 regulatory fees, which were due to the Federal Communications Commission (Commission) no later than September 26, 2003. These are mandatory fees established by Congress in accordance with the Omnibus Budget Reconciliation Act of 1993. The fees are used to offset costs associated with the Commission's enforcement, public service, international policy, and rulemaking activities. An unpaid regulatory fee is a debt owed to the United States, see (31 U.S.C. §3701).

The Commission is verifying its FY 2003 regulatory fees collection to identify those licensees who have not paid. We have no record of receiving the FY 2003 regulatory fee under the following FCC Form 499-A Filer ID and FCC Registration Number (FRN)

FCC Form 499-A Filer ID 822918

FRN 0006-1925-53

We have examined your most recent FCC Form 499-A, and it appears that you owe the FY 2003 **regulatory fee of \$1,165.67**. If this amount is correct, and you have not yet paid this fee, then you also owe a 25% penalty, which **penalty equals \$291.42**. The total fee now due is **\$1,457.09**. If the amount due is incorrect based on a revised FCC Form 499A submitted to NECA, please pay the newly calculated amount and pay this fee with the 25% penalty for this service.

Payment in full should be remitted with the enclosed Remittance Advice and FCC Form 159 to **Federal Communications Commission, P.O. Box 358835, Pittsburgh, PA 15251-5835** within 30 days of the date of this letter. You should submit all payments that are due, including the 25% penalty, for each Filer ID and FRN. The payment type code for this service is **0372**. The payment type code to be used for the penalty is **0399**. Each payment type code should be listed separately on the Form 159.

If you made full payment within the time **required**, please provide a complete copy of your submission (Form 159), including proof of payment. If you believe that you were exempt from the **FY 2003 regulatory fee** under the Commission's rules, please submit complete documentation supporting your position within twenty (20) days of the date of this letter. These documents should be sent to **Federal Communications Commission, Revenue & Receivables Operations Group, Room 1A821, 445 12th Street, SW, Washington, DC 20554**.

We urge you to verify that proper payment was made to the Commission for this or any other Filer ID in past years. If you find that you were responsible for this payment but neglected to provide it in a past year, please remit those additional fees plus a 25% penalty *before* additional administrative action is undertaken.

You are cautioned that failure to respond and/or pay the penalty will subject you to further sanctions as defined by CFR Section 1.1164 of our Rules. These sanctions include subjecting the delinquent payer's pending applications to dismissal, and may require a delinquent payer to show cause why its existing instrument of authorization should not be revoked. Further sanctions include interest charges, and the full cost of collection to the Federal Government pursuant to Section 3720A of the Internal Revenue Code and the provisions of the Debt Collection Improvement Act of 1996.

If you need further assistance, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,

Claudette Pride, Chief  
Revenue & Receivables Operations Group

Enclosure

Bill Processing

Document Number 04RE003387

FRN 0006192553

Oration Technologies Inc.

F1 NEXT

F9 EXIT

3/18/2004 ARIPNLO

Add/Modify Billing Information

Document Number 04REG003387

FRN 0006192553

Oration Technologies Inc.

Bill Date 02/19/04 Bill Amount \$1,165.67

Bill Type REG9 Bill Paid \$0.00

Bill Due Date 03/20/04 Bill Balance Due \$1,165.67

Dunning Indicator Bill Cycle Interest Due \$0.00

Referral Code Waiver Penalty Due \$291.42

Print Seq # 00011203 Waiver Date Admin Chg Due \$0.00

Transaction Date 03/18/04 Acct Period 06 Total Due \$1,457.09

Bill Description CB FY03 Non-Payment 0399 Late Fee \$ 291.42

Line Item Sequence 002 BFY FUND PROG ORG PROJ BOC TYPE

Accounting Classification Code

Product No. Quantity Item Amount

Document Status 0 Item Paid

Transaction Code Item Balance Due

Reference Type Reference No. Line

Bureau File No.

Item Description

Fy Days 360 Rate 0.00

F1 NEXT F2 PREV F3 VERIFY F4 CRM F6 SAVE F8 BACK F9 EXIT

3/18/2004 ARIPNL2

Payment received 3-5-04

**RAMIS ACCOUNT RECEIVABLES****Check Number Query Report**

FEE Control Number	0401058130186009		
Customer FRN	0000063701	FRN Name	Mr JERRY L BECKETT
Check Number	340900000000		
Receipt Amount	\$75.00	Date Received	01/05/2004
FEE Control Number	0402058994443001		
Customer FRN	0003768033	FRN Name	Frecoor, Inc
Check Number	340900000000		
Receipt Amount	\$50.00	Date Received	02/04/2004
FEE Control Number	0403168340207011		
Customer FRN	0009521352	FRN Name	ComoreTel Holdings Ltd
Check Number	340900000000		
Receipt Amount	\$0.00	[Date Received	03/05/2004]
FEE Control Number	0403228130347007		
Customer FRN	0010435485	FRN Name	Eric A Morgan mr
Check Number	340900000000		
Receipt Amount	\$75.00	Date Received	03/19/2004

FRN is 0006192553 per Billing record

AR012-A  
5/04/2004  
9:52:08

RAMIS ACCOUNTS RECEIVABLE - (c) DSG, Inc.  
RECEIPTS DETAIL REPORT  
SORTED BY TRANSACTION DATE, CD No., FEE CONTROL No

PAGE 1  
5/04/2004  
9:52 08

CD No.	CD DATE	FEE CONTROL No	FRN	PAYER NAME	TRANSACTION DATE	RECEIPT AMOUNT
560936	3/16/04	0403168340207011A	0006192553	Oration Technologies Inc	3/22/04	\$1,457 09
 Billing No 04RE003387 Seq 1 Call Sign PTC. 0372 QTY: 0 Applied Amt FCC Code 1. Applied Pen. \$291.42 Trn Number Applicant Name Address.						
Total Applied.			\$1,457 09	Total Receipt.		\$1,457 09